



MICHAEL A. SWEET (SBN 184345)
msweet@foxrothschild.com
EDWARD J. TREDINNICK (SBN 84033)
etredinnick@foxrothschild.com
JACK PRAETZELLIS (SBN 267765)
jpraetzellis@foxrothschild.com
FOX ROTHSCILD LLP
345 California Street, Suite 2200
San Francisco, California 94104
Telephone: (415) 364-5540
Facsimile: (415) 391-4436

Attorneys for Richard Marshack,
Chapter 7 Trustee

CHANGES MADE BY COURT

The following constitutes the order of the Court.
Signed: August 5, 2022

M. Elaine Hammond

M. Elaine Hammond
U.S. Bankruptcy Judge

Order modified to require appearance at 341 hearing on August 19, 2022.

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

In re:

DUTCHINTS DEVELOPMENT LLC,

Debtor.

Case No. 21-51255-MEH

Chapter 7

**ORDER APPROVING SECOND
APPLICATION (I) COMPELLING
EXAMINATION OF THE DEBTOR BY AND
THROUGH ITS INDIVIDUAL
REPRESENTATIVE, VAHE TASHJIAN;
AND (II) AUTHORIZING AND DIRECTING
THE UNITED STATES MARSHALS
SERVICE TO APPREHEND VAHE
TASHJIAN IN FURTHERANCE THEREOF,
PURSUANT TO FEDERAL RULE OF
BANKRUPTCY PROCEDURE 2005**

The Court, having considered the Second Application for Entry of Order Compelling 341(a) Examination and Authorizing Apprehension of Vahe Tashjian in Furtherance Thereof, Pursuant to Federal Rule of Bankruptcy Procedure 2005 (the "Application")¹ filed by Richard Marshack, in his capacity as Chapter 7 Trustee in the above-captioned bankruptcy case (the "Bankruptcy Case") filed by Dutchints Development, LLC (the "Debtor"), currently pending under Chapter 7 of Title 11 of

¹ Unless otherwise defined herein, all capitalized terms have the definitions set forth in the Application.

1 the United States Code (the “Bankruptcy Code”), the concurrently filed Declaration of Richard Mar-
2 shack, related documents filed in support of the Application, and the record in this Bankruptcy Case;
3 finding that the Trustee has provided reasonable notice and opportunity for hearing to the Debtor, the
4 Debtor’s individual representative, Vahe Tashjian (“Mr. Tashjian”), and other parties in interest; and
5 good cause appearing therefor:

6 **IT IS HEREBY ORDERED** as follows:

7 1. The Application is APPROVED with respect to the request for relief, pursuant to
8 Rule 2005 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”).

9 2. Pursuant to Bankruptcy Rule 2005(a), Mr. Tashjian, in his capacity as the Debtor’s
10 individual representative, shall appear on behalf of the Debtor for an examination, pursuant to §
11 341(a), on August 19, 2022 at 11:00 A.M. Mr. Tashjian shall appear via video on the Zoom plat-
12 form. The Trustee may continue such examination in his discretion, pursuant to Section 341(a), until
13 concluded by the Trustee.

14 3. In the event Mr. Tashjian does not appear at the August 19, 2022 Section 341(a)
15 meeting, or any subsequently noticed Section 341(a) meeting, the Trustee shall file a declaration at-
16 testing to the same. Thereafter, the Court will issue a warrant (the “Warrant”) for the arrest of Mr.
17 Tashjian, pursuant to Bankruptcy Rule 2005(a). As set forth more fully in such Warrant, the Court
18 will order and direct the United States Marshals Service to arrest Mr. Tashjian, take Mr. Tashjian
19 into the custody of the United States Marshals Service, and hold Mr. Tashjian in the custody of the
20 United States Marshals Service until such time as directed by the Court. Further, immediately upon
21 the arrest of Mr. Tashjian, or as soon thereafter as practicable, the United States Marshals Service
22 shall notify the Court of his arrest. Thereafter, the Court shall set a hearing on an emergency basis
23 concerning Mr. Tashjian’s compliance with the requirement set forth herein that Mr. Tashjian appear
24 at an examination of the Debtor, pursuant to Section 341(a). Upon Mr. Tashjian’s appearance at an
25 examination of the Debtor, pursuant to Section 341(a), the Trustee shall immediately, or as soon
26 thereafter as reasonably practicable, file a declaration with the Court attesting to Mr. Tashjian’s ap-
27 pearance and participation in the examination. Based upon such declaration, the Court will enter
28 such order as necessary to vacate the Warrant.

4. The Trustee shall serve a copy of this Order and the Notice of Continued Meeting of Creditors for the August 19, 2022 Section 341(a) meeting on Mr. Tashjian by certified mail not later than two business days after entry of this Order.

END OF ORDER

Court Service List

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